EXHIBIT A

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February 2, 2023

Joseph R. Saveri, Jr., Esq.
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601 California Street, Suite 1000
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Re: *Jessica Jones, et al., v. Varsity Brands, LLC, et al.*

Counsel:

We write regarding the claims in this case relating to camps.

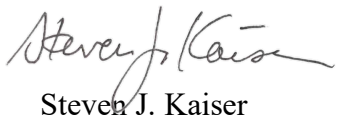
As you know, neither of the Plaintiffs in this case ever paid for or attended a Varsity camp. (*See* Plaintiffs' Combined Objections and Responses to Defendants' First Set of Interrogatories, at 1-6; *see also* Lorenzen Dep. at 86:12-19; Jones Dep. at 49:4-50:7.) They therefore have no standing to pursue claims based on camps. *See* American Spirit ECF No. 194, at 12-18 (dismissing claims because no Plaintiff had purchased the products at issue and Plaintiffs therefore lacked standing). Accordingly, Defendants request that Plaintiffs drop their claims relating to camps from this case without further delay, including by not seeking certification of a class relating to camps and officially dismissing the claims relating to camps from the case via a stipulated order of dismissal.

Should Plaintiffs persist in asserting claims based on camps, including by moving to certify a class relating to camps, Varsity will ask the Court for sanctions. As you know, Rule 11 of the Federal Rules of Civil Procedure requires, on the pain of possible sanctions, that parties not pursue baseless claims. Among other things, Rule 11 requires that "the claims, defenses, and other legal contentions are warranted by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law or for establishing new law" and "the factual

contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery." Fed. R. Civ. Pro. 11. Here, discovery has shown there is no legal or factual basis for standing as to the claims relating to camps. Should Plaintiffs continue to pursue these claims, Rule 11 sanctions would be appropriate, as many courts have found in similar circumstances where a party pursued antitrust claims despite plainly having no standing to do so. *See, e.g.*, *Pierce v. Commercial Warehouse*, 142 F.R.D. 687, 694 (M.D. Fla. 1992); *Colorado Chiropractic Council v. Porter Memorial Hospital*, 650 F. Supp. 231, 237-40 (D. Colo. 1986).

Defendants reserve all of their rights relating to these and Plaintiffs' other claims in this case, which are fatally flawed for numerous additional reasons.

Very truly yours,



Steven J. Kaiser